IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.7167 OF 2005
IN
CRI.APPEAL NO.1015 OF 2005

Maruti Dhondiram Jagdale ..Applicant
Vs.
State of Maharashtra ..Respondents

...
Smt.Varsha Palav Advocate for Applicant
Mr.V.B.Konde-Deshmukh A.P.P. for the State
...

CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : OCTOBER 28, 2005

P.C.

1. Heard the learned advocate for the applicant and the learned A.P.P. for the State.

2. The applicant is seeking bail. The applicant has been convicted mainly under Section 306 of IPC and sentenced to imprisonment for two years. It is contended on behalf of the applicant that the applicant was on bail during the trial and he has not misused the liberty granted to him. This statement is not controverted on behalf of the prosecution. It is further submitted on behalf of the applicant that the maximum sentence imposed on the applicant is two years and the appeal preferred

by the applicant is not likely to be heard and disposed of within the period of two years.

4. The Supreme Court in the case of **Bhagwan Rama Gosai and Ors. Vs. State of Gujrat** reported in **(1999) 4 SCC 421,** has observed that if the sentence is of limited duration and the appeal cannot be heard expeditiously, then bail should be granted. It is not possible to hear the present appeal expeditiously. In view of all the facts and circumstances, I am inclined to grant bail.

5. The applicant-Maruti Dhondiram Jagdale to be released on bail in the sum of Rs.25,000/- with one or two sureties to make up that amount. During the pendency of the appeal, the applicant shall report to Shivajinagar Police Station, Mumbai on first and third Sundays of every month.

6. Application is disposed of.

[V.K.TAHILRAMANI,J.]